

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM M. GEORGE,

Plaintiff,

v.

ORDER
09-CV-002A

CITY OF BUFFALO,

Defendant.

This case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(A), on September 14, 2010. Plaintiff filed a motion for leave to amend the complaint, to amend the Scheduling Order, for additional time to conduct an oral deposition, and to disqualify defendant's counsel.

On March 31, 2011, Magistrate Judge Foschio filed a Decision and Order, granting defendant's request to serve and file the proposed amended complaint, denying plaintiff's motion seeking disqualification of defendant's counsel, granting plaintiff's motion for additional time to conduct an oral deposition and granting plaintiff's motion to amend the scheduling order. On April 14, 2011, defendant filed objections to the Magistrate Judge's Decision and Order. The plaintiff filed a response thereto and the Court heard oral argument on May 26, 2011.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the district court "may reconsider any pretrial matter under this [section] where it has been shown that the magistrate's

order is clearly erroneous or contrary to law." The Court has reviewed defendants' objections and Magistrate Judge Foschio's Decision and Order. Upon such review and after hearing argument from counsel, the Court finds that Magistrate Judge Foschio's Decision and Order is neither clearly erroneous nor contrary to law.

Accordingly, the Court affirms the Decision and Order.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: JUNE 3, 2011